

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

BENJAMIN ASHER HANDLEY,

Petitioner,

v.

EDWARD FONTENO, Regional
Reentry Manager, in his official
capacity, *et al.*

Respondents.

Case No. 3:23-cv-00174-SLG

ORDER RE REPORT AND RECOMMENDATION

Before the Court at Docket 1 is Benjamin Hadley's Petition for Habeas Corpus Relief from Unlawful Confinement Pursuant to 28 U.S.C. § 2241 ("Petition"). Respondents Edward Fonteno, Regional Reentry Manager at the Bureau of Prisons ("BOP") Seattle Residential Reentry Management office, and Collette Peters, Director of the BOP, in their official capacities, filed a response in opposition to the Petition at Docket 15 to which Petitioner replied at Docket 16. The Petition was referred to the Honorable Magistrate Judge Kyle F. Reardon. At Docket 19, Judge Reardon issued his Report and Recommendation, in which he recommended that the Petition be dismissed. No objections to the Report and Recommendation were filed.

The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1). That statute provides that a district court "may accept, reject, or modify, in whole or in

part, the findings or recommendations made by the magistrate judge.”¹ A court is to “make a de novo determination of those portions of the magistrate judge’s report or specified proposed findings or recommendations to which objection is made.”² However, § 636(b)(1) does not “require district court review of a magistrate’s factual or legal conclusions, under a *de novo* or any other standard, when neither party objects to those findings.”³

The Magistrate Judge recommended that the Court dismiss the Petition for Habeas Corpus Relief from Unlawful Confinement Pursuant to 28 U.S.C. § 2241. The Court has reviewed the Report and Recommendation and agrees with its analysis. Accordingly, the Court ADOPTS the Report and Recommendation in its entirety, and IT IS ORDERED that the Petition for Habeas Corpus Relief from Unlawful Confinement Pursuant to 28 U.S.C. § 2241 is DISMISSED. The Clerk of Court shall enter a final judgment accordingly.

DATED this 25th day of September 2024, at Anchorage, Alaska.

/s/ Sharon L. Gleason
UNITED STATES DISTRICT JUDGE

¹ 28 U.S.C. § 636(b)(1).

² *Id.*

³ *Thomas v. Arn*, 474 U.S. 140, 150 (1985); *see also United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).